



**BID NUMBER: SK8/3/1-28/2021/22**

**BID DOCUMENT FOR:**

**APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER FOR  
OF A ROAD ASSET MANAGEMENT FOR A PERIOD OF 3 (THREE)  
MONTHS FOR SEKHUKHUNE DISTRICT MUNICIPAL AREA**

**BIDDER:**

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**BID PRICE:**

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**CLOSING DATE: 17 JUNE 2022**

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**CLOSING TIME: 12H00**

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**ISSUED AND PREPARED BY:**

SEKHUKHUNE DISTRICT MUNICIPALITY  
CNR VAN RIEBEEK AND CHRIS WIID STREET,

PRIVATE BAG X8611,  
GROBLERSDAL,  
0470  
TEL: (013) 262 7300  
FAX: (013) 262 3688

|   |  |
|---|--|
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## **TENDER (T1)**

### **PART 1 OF 2 TENDERING PROCEDURES**

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- T1.1 TENDER NOTICE AND INVITATION TO TENDER
- T1.2 CONDITIONS OF TENDER AND TENDER DATA
- T1.3 EVALUATION CRITERIA

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## T1.1: TENDER NOTICE AND INVITATION TO TENDER



### **REQUEST FOR PSP**

**RFP No. SK8/3/1-28/2021/22: APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER FOR IMPLEMENTATION OF A ROAD ASSET MANAGEMENT SYSTEM FOR A PERIOD OF 3 (THREE) MONTHS FOR SEKHUKHUNE DISTRICT MUNICIPALITY**

**The following conditions will apply**

- This proposal will be evaluated in terms of the Supply Chain Management Policy, and for this purpose the **MBD1, MBD2, MBD4, MBD6.1, MBD7.2, MBD8** and **MBD9** must be scrutinized, completed, and submitted together with your proposal.
- Bidders must submit any form of registration with CIPC
- SARS pin, Tax Clearance Certificate must be submitted.
- Bidders must be registered on the Central Supplier Database (CSD).
- Bidders must submit their latest Municipal account with the address corresponding to the company's address on CIPC registration document or a Lease Agreement

**NB: No proposals will be considered from persons in the service of the state, and No late proposals will be accepted for consideration.**

**Closing date: 17 June 2022 at 12H00**

**Enquiries: Technical matters –**

Mr. KARABO RAMADJE

**Contact Number:** (013) 262 7535

**SCM matters –**

Mr. VOSTER MASEMOLA

**Contact Number:** (013) 262 7656

COMPLETED TENDERS IN A SEALED ENVELOPE TITLED "**APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER FOR IMPLEMENTATION OF A ROAD ASSET MANAGEMENT SYSTEM FOR A PERIOD OF 3 (THREE) MONTHS FOR SEKHUKHUNE DISTRICT MUNICIPALITY**" MUST BE PLACED IN THE TENDER BOX AT AB SIKHOSANA FIRE STATION, GROBLERSDAL, 0470 ON OR BEFORE **TUESDAY, 17 JUNE 2022 AT 12:00.**

Ms. MAUREEN NTSHUDISANE  
MUNICIPAL MANAGER

## T1.2: TENDER DATA

The Standard Professional Services Contract (latest) contained in the CIDB shall apply to this bid. The conditions of tender are the Standard Conditions of Tender as contained in SANS 10845-3:2015.

The Standard Conditions of Tender make several references to the Tender Data for details that apply Specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

| Clause | Wording/Data  |
|--------|---|
| 3.1    | The Employer is the Sekhukhune District Municipality.   |
| 3.2    | <p>The Tender Documents issued by the Employer comprise the following documents:</p> <p><b>THE TENDER</b></p> <p><b>Part T1: Tendering procedures</b><br/> T1.1 - Tender notice and invitation to tender<br/> T1.2 - Tender Data<br/> T1.3 - Evaluation Criteria</p> <p><b>Part T2: Returnable Documents</b><br/> T2.1 - List of Returnable Documents<br/> T2.2 - Returnable Schedules</p> <p><b>THE CONTRACT</b></p> <p><b>Part C1: Agreements and Contract Data</b><br/> C1.1: Form of Offer and Acceptance<br/> C1 .2: Contract Data.</p> <p><b>Part C2: Pricing Data</b><br/> C2.1: Pricing Instructions<br/> C2.2: Pricing Schedule</p> <p><b>Part C3: Scope of Works</b><br/> C3.1: Employers Objective<br/> C3.2: Site Location<br/> C3.3: Project Scope and Objective<br/> C3.4: Professional Service Provider Fees</p> |
| 3.4    | <p>Sekhukhune District Municipality's contact details are as follows:</p> <p><b>Name:</b> Karabo Ramadje<br/> <b>Address:</b> Van Riebeek and Chris Wiid Street, Groblersdal,0470<br/> <b>Tel:</b> 013 262 7535<br/> <b>E-mail:</b> <a href="mailto:ramajek@sekhukhune.gov.za">ramajek@sekhukhune.gov.za</a></p>  |
| 3.5.1  | The Employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such cancellation and rejection but will give written reasons for such action upon written request to do so.   |

| Clause | Wording/Data   |
|--------|--|
| 3.6.1  | <p>Add the following:</p> <p>The tenderer shall provide Personnel as listed below in the Contract Data section.</p> <p>Only tenderers who have, in their employment, suitably experienced <b>Key Persons</b> who will be available for the execution and completion of this project are eligible to submit tenders.</p> <p>The following shall be the Key Personnel.</p> <p><b>PROJECT LEADER</b> who is registered as a Professional Engineer /Technologist with the Engineering Council of South Africa (ECSA), who has at least ten (10) years verifiable post qualification experience in civil and/or municipal engineering.</p> <p><b>TRANSPORT ENGINEER</b> registered as a Professional Engineer /Technologist with the Engineering Council of South Africa (ECSA), with at least ten (10) years verifiable post qualification experience in the implementation of similar transport projects.</p> <p><b>PROJECT ENGINEER</b> registered as a Professional Engineer /Technologist with the Engineering Council of South Africa (ECSA), with at least ten (10) years verifiable post qualification experience in the design and implementation of Pavement Management Systems and Gravel Road Management Systems.</p> <p><b>STRUCTURAL/BRIDGE ENGINEER</b> registered as a Professional Engineer /Technologist with the Engineering Council of South Africa (ECSA), with at least ten (10) years verifiable post qualification experience in bridges and culverts.</p> <p><b>GIS PRACTITIONER</b> registered with the South African Geomatics Council (SAGC), with at least eight (8) years verifiable post qualification experience.</p> |
| 4.7    | No briefing session will be held   |
| 4.8    | No alternative offers will be considered   |
| 4.13.1 | <p>Tenderers may only offer to provide services or supplies identified in the contract data to complete the Whole Works.</p> <p>The amount reflected on the <b>Form of Offer</b> takes precedence over any other <b>Total Amount</b> indicated elsewhere in the bidder's tender submission. If the <b>Form of Offer</b> does not state a value or figure, <b>the bidder will be regarded as having made no offer.</b></p>  |
| 4.13.3 | Parts of each tender offer communicated on paper shall be submitted as an original.  |
| 4.13.5 | The Employer's address for delivery of tender offers and identification details is as per the Bid Advert and Invitation to Bid section (T1.1 ).  |
| 4.13   | A two-envelope procedure will not be followed.   |
| 4.15   | <p>The closing time for submission of tender offers is as per Notice and Invitation to Tender section T1.1.</p> <p><b>Bid closing:</b> it is the responsibility of the bidders to ensure that bid documents/proposals are submitted on or before closing time and at the correct location.</p> <p>Bidders who use courier services are responsible to ensure delivery is at the correct place/location and time as the department will not be held responsible for wrong delivery.</p>   |
| 4.15   | Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.  |
| 4.16   | The tender offer validity period is as per Bid Advert and Invitation to Bid section T1.1   |

| Clause   | Wording/Data  |
|----------|---|
| 5.4      | The location for opening of the tender offers, immediately after the closing time thereof shall be as per Bid Advert and Invitation to Bid section (T1.1 ).   |
| F.3.9.1  | <p>Add a new bullet: "In the event of there being any rate or rates which are declared to be an unacceptable commercial risk by the Employer, the Tenderer will be requested:</p> <p>–</p> <p>(a) to justify any specific rate or rates, i.e. to give a financial breakdown of how such rate or rates were obtained,</p> <p>and subsequently to consider amending and adjusting such rate or rates while retaining the Tender Total derived under sub-clause F3.9.2 (c) unchanged and fixed. It must be understood that in the event of the tenderer refusing to adjust any rate or rates to the satisfaction of the Employer, such refusal may prejudice his Tender."</p>        |
| F.3.13.1 | <p><b>Tender offers will only be acceptable if:</b></p> <p>(a) the tenderer has completed and signed Form 1 B (Certificate of Authority for Signatory) if applicable;</p> <p>(b) the Form of Offer is duly completed and signed (Note: <b>Any correction must be signed</b> by the authorised signatory);</p> <p>(c) all relevant certified information is submitted with the Tender;</p> <p>(d) all other Tender Conditions are complied with.</p> <p>Add the following:</p> <p>Note that the successful Tenderer will be required to submit a <b>valid</b> Letter of Good Standing from the Compensation Commissioner or FEMA within 21 days of receipt of Letter of Award.</p> |
|          | <p>Bid Closing: it is the responsibility of the bidder(s) to ensure that the bid document/proposals are submitted before or on closing time and the correct location as the department will not take responsibility for any wrong delivery.</p> <p>Bidders who use courier services are responsible to ensure delivery is at the correct place /location and time.</p>  |
| F.3.17   | The number of copies of the signed contract to be provided by the employer is one.  |

## T1.3: EVALUATION CRITERIA

### 1.3.1 EVALUATION OF TENDERS ON QUALITY/FUNCTIONALITY

The procedure for the evaluation of responsive tenders is Method 4: Financial Offer, Quality and Preferences.

- Score each tender in respect of the financial offer made, preference claimed, if any, and the quality offered, rejecting all tender offers that fail to achieve the minimum number of points for functionality as stated herein.

The criterion for evaluating the functionality points will be based on the following.

|   |             |
|---|-------------|
| <b>Key Personnel</b>                    | <b>- 60</b> |
| <b>Vehicles</b>                         | <b>- 15</b> |
| <b>Professional Indemnity Insurance</b> | <b>- 5</b>  |
| <b>Appointment and Reference Letter</b> | <b>- 15</b> |
| <b>Locality</b>                         | <b>- 5</b>  |

The breakdown of the functionality scoring is provided in the table below:

| Evaluation Criteria  |   | MAXIMUM Points Allocation |
|--|---|---------------------------|
| <b>Key/Personnel</b>   |   | <b>60</b>                 |
| <b>PROJECT ENGINEER</b><br>(Referrer to Clause 3.6.1 on the Tender Data Section for Work Experience)   | 1. CV with Correct Training and Experience( <i>Attach Qualifications</i> )  | 5                         |
|  | 2. Certified Proof of Professional Registration with ECSA                   | 10                        |
| <b>TRANSPORT ENGINEER</b><br>(Referrer to Clause 3.6.1 on the Tender Data Section for Work Experience)   | 1. CV with Correct Training and Experience ( <i>Attach Qualifications</i> ) | 5                         |
|  | 2. Certified Proof of Professional Registration with ECSA                   | 10                        |
| <b>STRUCTURAL/BRIDGE ENGINEER</b><br>(Referrer to Clause 3.6.1 on the Tender Data Section for Work Experience)   | 1. CV with Correct Training and Experience( <i>Attach Qualifications</i> )  | 5                         |
|  | 2. Certified Proof of Professional Registration with ECSA                   | 10                        |
| <b>GIS PRACTITIONER</b><br>(Referrer to Clause 3.6.1 on the Tender Data Section for Work Experience)   | 1. CV with Correct Training and Experience( <i>Attach Qualifications</i> )  | 5                         |
|  | 2. Certified Proof of Professional Registration with SAGC                   | 10                        |
| <b>Vehicles</b>  |   | <b>15</b>                 |
| <b>5 and/or more vehicles</b> for Graduate Interns to be able to execute the work without any logistical hindrance (Copy of e- Natis or vehicle registration certificate or Letter of Intent in case of Hiring of the vehicles for the duration of the contract) |   | 15                        |
| <b>3-4 vehicles</b> for Graduate Interns to be able to execute the work without any logistical hindrance (Copy of e- Natis or vehicle registration certificate or Letter of Intent in case of Hiring of the vehicles for the duration of the contract)           |   | 10                        |
| <b>1-2 vehicles</b> for Graduate Interns to be able to execute the work without any logistical hindrance (Copy of e- Natis or vehicle registration certificate or Letter of Intent in case of Hiring of the vehicles for the duration of the contract)           |   | 5                         |
| No vehicles  |   | 0                         |



| Evaluation Criteria  |   | MAXIMUM<br>Points<br>Allocation |
|--|---|---------------------------------|
|  |   |                                 |
| <b>Professional Indemnity Insurance</b>  |   | <b>5</b>                        |
| Not Included   |   | 0                               |
| Included   |   | 5                               |
|  |   |                                 |
| <b>Appointment and Reference Letters</b>   |   | <b>15</b>                       |
| Track record on similar projects in local government (i.e., municipalities)<br>Bidders are requested to provide appointment letters with their corresponding reference letters in the respective client's letterhead. <ul style="list-style-type: none"> <li>• 2 projects = 5 points</li> <li>• 3 projects = 10 points</li> <li>• 4 projects and above= 15 points</li> </ul> <b>N.B An appointment letter without a reference letter will not be considered or vice versa.</b> |   |                                 |
| <b>Locality</b>  |   | <b>5</b>                        |
| Proof of address or Lease agreement and or Municipality Rate and Taxes   | Within Sekhukhune District Municipality | 5                               |
|  | Within Limpopo Province                 | 3                               |
|  | Beyond Limpopo Province                 | 1                               |
|  |   |                                 |
| <b>TOTAL</b>   |   | <b>100</b>                      |

**N.B.** Tenders that have achieved the minimum qualification score of **70 points** for functionality will be evaluated further in terms of the pricing.

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**TENDER (T2)**

**PART 2 OF 2 RETURNABLE DOCUMENTS**

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- |      |                              |
|------|------------------------------|
| T2.1 | LIST OF RETURNABLE DOCUMENTS |
| T2.2 | RETURNABLE DOCUMENTS         |

## LIST OF RETURNABLE DOCUMENTS.

The tenderer must complete the returnable documents as listed

| Generic   | Tick if completed |
|---|-------------------|
| Authority for Signatory ( <i>Compulsory</i> )   |                   |
| Certificate of Authority for Joint Venture ( <i>Compulsory where applicable</i> )   |                   |
| Certified copy of identity documents for directors ( <i>Compulsory</i> )  |                   |
| Compulsory Enterprise Questionnaire-SCHEDULE 1C ( <i>Compulsory</i> )   |                   |
| Copy of Company Registration Documents or CK1 for Close Corporations ( <i>Compulsory</i> )  |                   |
| Form of offer to be properly signed ( <i>Compulsory</i> )   |                   |
| Declaration of Interest (MBD4) ( <i>Compulsory</i> )  |                   |
| Declaration of Bidder's Past Supply Chain Management Practices (MBD8) ( <i>Compulsory</i> )   |                   |
| Certificate of Independent Bid Determination (MBD9) ( <i>Compulsory</i> )   |                   |
| B-BBEE Status Level Certificate SANAS approved or Sworn Affidavit for BBEE Exempted Micro Enterprises as per bidder's correct turnover category (Required for Evaluation)   |                   |
| Municipal Rates for the bidder and its directors in respect of which payment is not overdue for more than 90 days or proof of lease agreement including rates for the landlord. In case where the company or director is registered in a rural area where the rates are not paid, please attach proof from local authority and affidavit under oath indicating that there are no municipal rates payable. |                   |
| Declaration of Local Content (MBD 6.2 and Annex C) ( <i>Compulsory if Applicable</i> )  |                   |
| Valid Tax Clearance Certificate Issued by the South African Revenue Service. ( <i>Compulsory</i> ) or PIN issued by SARS  |                   |
| CSD Registration/CSD Summary Report ( <i>Compulsory</i> )   |                   |
| Proof of insurance with a registered financial services provider  |                   |
| Proof of COIDA ( <i>Compulsory</i> )  |                   |

Note:

The meaning of the cursive type for each Form is as follows:

- **Compulsory:** Documentation or Information that must be submitted with the tender  
(Failing to submit any if the document may result in the tender being deemed non-responsive).
- **Required for evaluation:** Additional documentation that is required to be submitted with the tender and will be used as part of the tender evaluation.
- It is the responsibility of the bidder to bind the bid document.

**4. OTHER SCHEDULES AND DOCUMENTS THAT WILL BE INCORPORATED INTO THE CONTRACT (included hereafter for completion)**

- C1.1 Form of Offer and Acceptance
- C1.2 Contract Data
- C2.2 Schedule of Quantities

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**1A:****1. General**

State whether the tenderer is a company, a closed corporation, a partnership, a sole practitioner, or a joint venture:

(Mark the appropriate option below)

|                    |                          |
|--------------------|--------------------------|
| Public Company     | <input type="checkbox"/> |
| Private Company    | <input type="checkbox"/> |
| Closed Corporation | <input type="checkbox"/> |
| Partnership        | <input type="checkbox"/> |
| Sole Proprietary   | <input type="checkbox"/> |
| Joint Venture      | <input type="checkbox"/> |
| Co-operative       | <input type="checkbox"/> |

**2. Information To Be Provided**

| If the Tendering Entity is a: |  | Documentation to be submitted with the tender   |
|-------------------------------|--|---|
| 1                             | <u>Closed Corporation</u> , incorporated under the Close Corporation Act, 1984, Act 69 of 1984.  | CIPRO CK1 or CK2 (Copies of the founding statement) and list of members.  |
| 2                             | <u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973. (Including Companies incorporated under Art 53 (b)).  | Copies of:<br>i) CIPRO CM 1 - Certificate of Incorporation<br>ii) CIPRO CM 29 – Contents of Register of Directors, Auditors and Officers<br>iii) Shareholders Certificates of all Members of the Company. |
| 3                             | <u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 in which any, or all, <u>shares are held by another</u> Closed Corporation or company with, or without, share capital. | Copies of documents referred to in 1 and/or 2 above in respect of all such Closed Corporations and/or Companies.  |
| 4                             | <u>Public Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 (Including Companies incorporated under Art 21).  | A signed statement of the Company's Secretary confirming that the Company is a public Company.<br><br>Copy of CM 29.  |
| 5                             | Sole Proprietary or a Partnership.   | Copy of the Identity Document of:<br>1. Such Sole Proprietary, or<br>2. Each of the Partners in the Partnership<br>Copy of the Partnership agreement.   |

| If the Tendering Entity is a: |                | Documentation to be submitted with the tender  |
|-------------------------------|----------------|--|
| 6                             | Co-operative.  | CIPRO CR2 - Copies of Company registration document. (The percentage of work to be done by each partner must clearly be indicated on Form RDB1 (or RDB2 as applicable) of the tender document: MBD6.1 Preference Points Claim Form in terms of the Preferential Procurement Regulations 2001). |
| 7                             | Joint Venture. | All the documents (as described above) as applicable to each partner in the JV as well as a copy of the Joint Venture agreement. (The percentage of work to be done by each partner of the joint venture must clearly be indicated in the Joint Venture Agreement).                            |

**Note:**

- i. If the shares are held in trust provide a copy of the Deed of Trust (only the front page and pages listing the trustees and beneficiaries are required) as well as the Letter of Authority as issued by the Master of the Supreme Court, wherein trustees have been duly appointed and authorized, must be provided.
- ii. Include a copy of the Certificate of Change of Name (CM9) if applicable.

## 1B: AUTHORITY FOR SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

| A<br>Company | B<br>Partnership | C<br>Joint Venture | D<br>Sole Proprietor | E<br>Close Corporation |
|--------------|------------------|--------------------|----------------------|------------------------|
|              |                  |                    |                      |                        |

### A. Certificate for Company

I, ....., chairperson of the board of directors of ....., hereby confirm that by resolution of the board (copy attached) taken on .....

\*Mr/Ms ..... acting in the capacity of ..... (Position in the Enterprise), and who will sign as follows: ..... be, and is hereby, authorized to sign the Bid/Tender, and all documents and/or correspondence in connection with this tender and any contract resulting from it on behalf of the company.

#### As witnesses:

- |         |            |       |
|---------|------------|-------|
| 1. .... | Chairman : | ..... |
| 2. .... | Date :     | ..... |

|  | NAME | CAPACITY | SIGNATURE |
|--|------|----------|-----------|
|  |      |          |           |
|  |      |          |           |
|  |      |          |           |
|  |      |          |           |
|  |      |          |           |

#### NOTE:

1. \*Delete which is not applicable
2. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
3. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**B. Certificate for Partnership**

We, the undersigned, being the key partners in the business trading as .....  
..... hereby authorize \*Mr/Ms, .....  
acting in the capacity of ..... (Position in the Enterprise), and who  
will sign as follows: .....be, and is hereby, authorized to  
sign the Bid/Tender, and any and all documents and/or correspondence in connection  
with this tender and any contract resulting from it on behalf of the company.

| NAME | ADDRESS | SIGNATURE | DATE |
|------|---------|-----------|------|
|      |         |           |      |
|      |         |           |      |
|      |         |           |      |
|      |         |           |      |
|      |         |           |      |

**NOTE:**

1. \*Delete which is not applicable
2. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
3. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**C. Certificate for Joint Venture and Consortia**

We, the undersigned, are submitting this tender offer in a Joint Venture / Consortium  
and hereby authorize \*Mr/Ms, .....acting in the capacity of lead  
partner, and who will sign as follows: .....be, and is  
hereby, authorized to sign the Bid/Tender, and any and all documents and/or  
correspondence in connection with this tender and any contract resulting from it on  
behalf of the company.

This authorization is evidenced by the attached power of attorney signed by legally  
authorized signatories of all the partners to the Joint Venture / Consortium.

| NAME OF FIRM | Lead Partner (X) | ADDRESS | % of Contract Value | AUTHORISING SIGNATURE, NAME & CAPACITY |
|--------------|------------------|---------|---------------------|--|
|              |                  |         |                     |  |
|              |                  |         |                     |  |
|              |                  |         |                     |  |
|              |                  |         |                     |  |



**D. Certificate for Sole Proprietor**

I, ..... hereby confirm that I am the sole owner of the business trading as .....

**As witnesses :**

1. \_\_\_\_\_ Signature owner : Sole  
2. \_\_\_\_\_ Date : \_\_\_\_\_

**E. Certificate for Close Corporation**

We, the undersigned, being the key members in the business trading as ..... hereby authorize \*Mr/Mrs ..... acting in the capacity of ....., (Position in the Enterprise), and who will sign as follows: .....be, and is hereby, authorized to sign the Bid/Tender, and any and all documents and/or correspondence in connection with this tender and any contract resulting from it on behalf of the company.

| NAME | ADDRESS | SIGNATURE | DATE |
|------|---------|-----------|------|
|      |         |           |      |
|      |         |           |      |
|      |         |           |      |
|      |         |           |      |

**NOTE:**

1. \*Delete which is not applicable
2. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
3. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**MBD1      PART A – INVITATION TO BID**

|   |  |               |  |               |  |
|---|--|---------------|--|---------------|--|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE LEJWELEPUTSWA DISTRICT MUNICIPALITY</b>  |  |               |  |               |  |
| BID NUMBER:   |  | CLOSING DATE: |  | CLOSING TIME: |  |
| DESCRIPTION   | <b>APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER FOR OF A ROAD ASSET MANAGEMENT FOR A PERIOD OF 3 (THREE) MONTHS FOR SEKHUKHUNE DISTRICT MUNICIPAL AREA</b> |               |  |               |  |
| <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b> |  |               |  |               |  |

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT AB SIKHOSANA FIRE STATION IN GROBLERSDAL, 0470.

|                             |          |  |         |  |  |
|-----------------------------|----------|--|---------|--|--|
| <b>SUPPLIER INFORMATION</b> |          |  |         |  |  |
| NAME OF BIDDER              |          |  |         |  |  |
| POSTAL ADDRESS              |          |  |         |  |  |
| STREET ADDRESS              |          |  |         |  |  |
| TELEPHONE NUMBER            | CODE     |  | NUMBER  |  |  |
| CELLPHONE NUMBER            |          |  |         |  |  |
| FACSIMILE NUMBER            | CODE     |  | NUMBER  |  |  |
| E-MAIL ADDRESS              |          |  |         |  |  |
| VAT REGISTRATION NUMBER     |          |  |         |  |  |
| TAX COMPLIANCE STATUS       | TCS PIN: |  | CSD No: |  |  |
|                             |          |  |         |  |  |

|  |
|--|
|  |
|--|

**MBD1      PART A – INVITATION TO BID... Continued**

|   |  |  |   |
|---|--|--|---|
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER PART B:3] |
| TOTAL NUMBER OF ITEMS OFFERED   |  | TOTAL BID PRICE  | R   |
| SIGNATURE OF BIDDER   | .....  | DATE   |   |
| CAPACITY UNDER WHICH THIS BID IS SIGNED   |  |  |   |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>  |  | <b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>                         |   |
| DEPARTMENT  | Sekhukhune District Municipality Supply Chain Management                           | DEPARTMENT   | Infrastructure and Water Services   |
| CONTACT PERSON  | Mr. Voster Masemola  | CONTACT PERSON   | Mr Karabo Ramadje   |
| TELEPHONE NUMBER  | (013) 262 7300   | TELEPHONE NUMBER   | (013) 262 7535  |
|   |  | MOBILE   | 073 230 0069  |
| E-MAIL ADDRESS  | <a href="mailto:masemolav@sekhukhune.gov.za">masemolav@sekhukhune.gov.za</a>       | E-MAIL ADDRESS   | <a href="mailto:ramajek@sekhukhune.gov.za">ramajek@sekhukhune.gov.za</a>              |

## MBD1 PART B – TERMS AND CONDITIONS FOR BIDDING

|  |  |
|--|--|
| <b>1) BID SUBMISSION:</b>  |  |
| a.   | BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.  |
| b.   | <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE</b>   |
| c.   | THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.   |
| <b>2) TAX COMPLIANCE REQUIREMENTS</b>  |  |
| a)   | BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.   |
| b)   | BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.  |
| c)   | APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA. |
| d)   | FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.   |
| e)   | BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.   |
| f)   | IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.   |
| g)   | WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.  |
| <b>3) QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>   |  |
| a.   | IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA) <input type="checkbox"/> YES <input type="checkbox"/> NO  |
| b.   | DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO   |
| c.   | DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO  |
| d.   | DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO   |
| e.   | IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO   |
| <b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b> |  |

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

**NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

DATE: .....

## MBD2 TAX CLEARANCE CERTIFICATE REQUIREMENTS

---

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. In order to meet this requirement bidders are required to complete in full form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub- contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Applications for the Tax Clearance Certificates may also be made via e-Filing. In order to use this provision, taxpayers will need to register with SARS as e -Filers through the website [www.sars.gov.za](http://www.sars.gov.za).
5. Tax Compliance Status (TCS) Pin as of 18 April 2016
  - a. In terms of the new Tax Compliance Status System implemented by SARS on 18 April 2016, taxpayers are now able to issue the municipality with a TCS Pin which can be used to verify a.
  - b. The taxpayer must issue the **municipality** with the following:

Bidders who are not in possession of an original Tax Clearance Certificate must provide at least 2 of the 3 numbers listed below in order to verify the Tax Clearance Certificate via SARS a-filing.

1. Tax Reference Number 2. Tax Compliance Status Pin 3. Tax Clearance Certificate Number:

- c. If a bidder is registered on the Municipality is already in possession of *an* original tax clearance certificate which is valid on closing *date* of bid, it **MUST** be indicated as such on this page, whereby the attaching of a new tax clearance certificate to this page will not be needed.
6. Should a Tax Clearance Certificate not be verifiable on the SARS e-filing system, the bidder will be afforded an opportunity to submit a valid, verifiable Tax Clearance Certificate. It will result in the invalidation of the bid, should the bidder fail to provide a valid, verifiable Tax Clearance Certificate.

## MBD4 DECLARATION OF INTEREST

---

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
  - 3.1 Full Name of bidder or his or her representative:.....
  - 3.2 Identity Number: .....
  - 3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>):.....
  - 3.4 Company Registration Number: .....
  - 3.5 Tax Reference Number:.....
  - 3.6 VAT Registration Number: .....
  - 3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
  - 3.8 Are you presently in the service of the state? **YES / NO**
    - 3.8.1 If yes, furnish particulars. ....

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

<sup>2</sup> Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

- 3.9 Have you been in the service of the state for the past twelve months? ..... **YES / NO**  
 3.9.1 If yes, furnish particulars.....  
 .....
- 3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? .... **YES / NO**  
 3.10.1 If yes, furnish particulars.....  
 .....
- 3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? ..... **YES / NO**  
 3.11.1 If yes, furnish particulars.....  
 .....
- 3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? ..... **YES / NO**  
 3.12.1 If yes, furnish particulars.....  
 .....
- 3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? ..... **YES / NO**  
 3.13.1 If yes, furnish particulars.....  
 .....
- 3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. .... **YES / NO**  
 3.14.1 If yes, furnish particulars:.....  
 .....

3. Full details of directors /trustees/ members/ shareholders

| Full Name | Identity Number | State Employee Number |
|-----------|-----------------|-----------------------|
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct.**

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer



## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contribution.
- 1.4 The maximum points for this bid are allocated as follows:

|  | POINTS     |
|--|------------|
| <b>PRICE</b>   | 80         |
| <b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>               | 20         |
| <b>Total points for Price and B-BBEE must not exceed</b> | <b>100</b> |

- 1.5 Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or a sworn affidavit confirming annual turnover and level of black ownership in case of an EME and QSE together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- (a) **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard

contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- (d) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- (e) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) as amended by Act No 46 of 2013;
- (f) **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- (g) **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- (h) **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- (i) **“EME”** means an Exempted Micro Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- (k) **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- (l) **“non-firm prices”** means all prices other than “firm” prices;
- (m) **“person”** includes a juristic person;
- (n) **“QSE”** means a Qualifying Small Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 ( Act No. 53 of 2003);
- (o) **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- (p) **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- (q) **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- (r) **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- (s) **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

#### 4. POINTS AWARDED FOR PRICE

#### 4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

or

90/10

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

$P_{min}$  = Comparative price of lowest acceptable bid

**5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION**

- 5.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations 2017, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

| B-BBEE Status Level of Contributor | Number of points (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1                                  | 10                              | 20                              |
| 2                                  | 9                               | 18                              |
| 3                                  | 6                               | 14                              |
| 4                                  | 5                               | 12                              |
| 5                                  | 4                               | 8                               |
| 6                                  | 3                               | 6                               |
| 7                                  | 2                               | 4                               |
| 8                                  | 1                               | 2                               |
| Non-compliant contributor          | 0                               | 0                               |

- |     |  |
|-----|--|
| 5.2 | A bidder who qualifies as an EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership.                          |
| 5.3 | A Bidder other than EME or QSE must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating |

issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

## 6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

## 7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 5.1

- 7.1 B-BBEE Status Level of Contribution:                      =                      (maximum of 10 or 20 points)
- (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or a sworn affidavit.

## 8. SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted?  
(*Tick applicable box*)

|     |                          |    |                          |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

- 8.1.1 If yes, indicate:
- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME.

(*Tick applicable box*)

|     |                          |    |                          |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

## 9. DECLARATION WITH REGARD TO COMPANY/FIRM

- 9.1 Name of company/firm:.....
- 9.2 VAT registration number:.....
- 9.3 Company registration number:.....



9.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:**.....

9.8 Total number of years the company/firm has been in business:.....

9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from

obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

- (e) forward the matter for criminal prosecution.

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

## 1C COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, **separate** enterprise questionnaires in respect of each partner must be completed and submitted.

**Section 1: Name of enterprise:** .....

**Section 2: VAT registration number, if any:** .....

**Section 3: CIDB registration number, if any:** .....

**Section 4: Particulars of sole proprietors and partners in partnerships**

| Name* | Identity number* | Personal income tax number* |
|-------|------------------|-----------------------------|
|       |                  |                             |
|       |                  |                             |
|       |                  |                             |

\* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

**Section 5: Particulars of companies and close corporations**

Company registration number .....

Close corporation number .....

Tax reference number .....

**Section 6: Record in the service of the state**

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- |   |   |
|---|---|
| <input type="checkbox"/> a member of any municipal council            | <input type="checkbox"/> an employee of any provincial department,  |
| <input type="checkbox"/> a member of any provincial legislature       | national or provincial public entity or                             |
| <input type="checkbox"/> a member of the National Assembly or the     | constitutional institution within the meaning of                    |
| National Council of Province  | the Public Finance Management Act, 1999                             |
| <input type="checkbox"/> a member of the board of directors of any    | (Act 1 of 1999)   |
| municipal entity  | <input type="checkbox"/> a member of an accounting authority of any |
| <input type="checkbox"/> an official of any municipality or municipal | national or provincial public entity                                |
| entity  | <input type="checkbox"/> an employee of Parliament or a provincial  |
|   | legislature   |

If any of the above boxes are marked, disclose the following:

| Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder | Name of institution, public office, board or organ of state and position held | Status of service (tick appropriate column) |                       |
|---|---|---|-----------------------|
|   |   | Current                                     | Within last 12 months |
|   |   |   |                       |
|   |   |   |                       |
|   |   |   |                       |
|   |   |   |                       |
|   |   |   |                       |
|   |   |   |                       |

\*insert separate page if necessary

#### Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- |  |  |
|--|--|
| <input type="checkbox"/> a member of any municipal council                                     | <input type="checkbox"/> an employee of any provincial department,                                       |
| <input type="checkbox"/> a member of any provincial legislature                                | national or provincial public entity or  |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of the board of directors of any municipal entity            | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> an official of any municipality or municipal entity                   | <input type="checkbox"/> an employee of Parliament or a provincial legislature                           |



Signed

Date

Name

Position

Enterprise  
name

| Name of spouse, child or parent | Name of institution, public office, board or organ of state and position held | Status of service (tick appropriate column) |                       |
|---------------------------------|---|---|-----------------------|
|                                 |   | Current                                     | Within last 12 months |
|                                 |   |   |                       |
|                                 |   |   |                       |
|                                 |   |   |                       |
|                                 |   |   |                       |
|                                 |   |   |                       |
|                                 |   |   |                       |

\*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

## MBD8 DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1) This Municipal Bidding Document must form part of all bids invited.
- 2) It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3) The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a) abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b) been convicted for fraud or corruption during the past five years;
  - c) willfully neglected, reneged on or failed to comply with any government, municipal or other public-sector contract during the past five years; or
  - d) been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4) In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

| Item  | Question  | Yes                             | No                             |
|-------|---|---------------------------------|--------------------------------|
| 4.1   | Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?<br>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audialterampartem</i> rule was applied).<br><br><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b> | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars:   |                                 |                                |
| 4.2   | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?<br><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>   | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.2.1 | If so, furnish particulars:   |                                 |                                |
| 4.3   | Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?  | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |

| Item  | Question   | Yes                             | No                             |
|-------|--|---------------------------------|--------------------------------|
| 4.3.1 | If so, furnish particulars:  |                                 |                                |
| 4.4   | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars:  |                                 |                                |
| 4.5   | Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?                         | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.7.1 | If so, furnish particulars:  |                                 |                                |

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct.**

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

## **1D: SCHEDULE OF WORK SATISFACTORILY CARRIED OUT BY THE TENDERER FOR PRIVATE CLIENTS OR ORGANS OF STATE**

---

Bidders must furnish hereunder details of similar works/service, which they have satisfactorily completed in the past. The information shall include a description of the Works, the Contract value and name of Employer.

| <b>Employer, Contact<br/>Person, e-mail<br/>address and<br/>Telephone Number</b> | <b>Description of Contract</b> | <b>Value of Work<br/>Inclusive of<br/>VAT (Rands)</b> | <b>Date Completed<br/>(State Current if<br/>not yet complete)</b> |
|--|--------------------------------|---|---|
|  |                                |   |   |
|  |                                |   |   |
|  |                                |   |   |
|  |                                |   |   |
|  |                                |   |   |
|  |                                |   |   |

| Employer, Contact Person, e-mail address and Telephone Number | Description of Contract | Value of Work Inclusive of VAT (Rands) | Date Completed (State Current if not yet complete) |
|---|-------------------------|--|--|
|   |                         |  |  |
|   |                         |  |  |
|   |                         |  |  |
|   |                         |  |  |
|   |                         |  |  |

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct**.

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

## 1F: COMPANY INFORMATION REQUIRED FOR TENDERS GREATER THAN R 10 MILLION

---

1. Is the tenderer required by law to prepare audited annual financial statements? **YES/NO**

2. If so, provide audited annual financial statements:

- ☐ for the past three years; or
- ☐ since their establishment if established during the past three years.

Indicate whether these have been included in the tender. **YES/NO**

3. If answer for Question No.1 is NO, does the tenderer have annual financial statements? **YES/NO**

4. If so, provide audited annual financial statements:

- ☐ for the past three years; or
- ☐ since their establishment if established during the past three years.

Indicate whether the annual financial statements have been included in the tender. **YES/NO**

5. If answer for Question No.1 is **NO**, the tenderer shall attach to this form a letter from the tenderer's bank; in which the bank declares how the tenderer conducts its account. The contents of the bank's letter must state the credit rating that It accords to the tenderer for the business envisaged by this tender. The minimum acceptable credit rating applicable to tenderers for this tender is a credit rating C. The value of the bank rating must be calculated and checked with R2.5 million. Failure to provide the required letter with the tender submission may render the tenderer's offer unresponsive in terms of Clause 5.8 of the tender condition.

Indicate whether a credit rating letter from the bank has been included in the tender. **YES/NO**

5. Does the tenderer have any undisputed commitments for Municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days? **YES/NO**

If so, state particulars:

.....

.....

.....

6. Has any contracts been awarded to the tenderer by the state during the past five years? **YES/NO**

If so, state particulars:

.....

.....

.....

7. Has there been any material non-compliance or dispute concerning the execution of such contract? YES/NO

If so, state particulars:

.....  
.....  
.....

8. Is any portion of the goods or services expected to be sourced outside the Republic of South Africa? YES/NO

If so, state what portion and whether any portion of payment from the Municipality is expected to be transferred out of the Republic of South Africa.

.....  
.....  
.....

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct.**

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

**MBD9    CERTIFICATE OF INDEPENDENT BID DETERMINATION**

---

I, the undersigned, in submitting the accompanying bid:.....  
.....  
.....  
.....  
(Bid Number and Description)

In response of the invitation for the bid made by:  
.....  
(Name of Municipality)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of ..... that:  
(Name of Bidder)

- 1. I have read and I understand the contents of this Certificate;
- 2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- 3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- 4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
- 5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation.
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities, or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
- 7. Without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement, or arrangement with any competitor regarding:
  - (a) prices.
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors, or formulas used to calculate prices.
  - (d) the intention or decision to submit or not to submit, a bid.
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
- 8. In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.



9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

## 1G PROPOSED AMENDMENTS

---

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, the tenderer may state such deviations in a **covering letter to this tender and reference such letter in this schedule.**

| Page Number | Clause/Item | Proposal |
|-------------|-------------|----------|
|             |             |          |

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct.**

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

## **1H      PROOF OF REGISTRATION WITH THE SUPPLIER DATABASE**

---

All existing and prospective service providers/creditors to the Sekhukhune District Municipality's supplier database should note that registration with the electronic Central Suppliers Database (CSD [www.csd.gov.za](http://www.csd.gov.za) for self-registration), developed by National Treasury, is a requirement.

Prospective tenderers are to attach the *Certificate of **Registration with CSD*** to this page.

## **1J      PROOF OF PROFESSIONAL INDEMNITY INSURANCE**

---

Tenderers to submit proof of professional indemnity insurance to this page.

## **1K      BANK CONFIRMATION LETTER**

---

Tenderers to submit bank confirmation letter to this page.

## **2A            MUNICIPAL BILLING CLEARANCE CERTIFICATE/ LEASE AGREEMENT**

---

In terms of Clause 36 of the Municipal Supply Chain Management Policy, tenderers must ensure that they are up to date with their payments of municipal accounts,

The tenderer shall attach to this page a Municipal Billing Clearance Certificate, which provides proof that his payment of Municipal accounts is up to date.

***Should the tenderer not be based in the Sekhukhune District Municipality, he shall submit a Municipal Billing Clearance Certificate Issued by the municipality in which he/she is based.***

### 3A RECORD OF ADDENDA TO TENDER DOCUMENTS

---

We confirm that the following communications received from the Procuring Department before the submission of this tender offer, amending the tender documents, have been considered in this tender offer:

| Addendum Number | Date | Title or Details |
|-----------------|------|------------------|
|                 |      |                  |
|                 |      |                  |
|                 |      |                  |
|                 |      |                  |
|                 |      |                  |
|                 |      |                  |
|                 |      |                  |
|                 |      |                  |

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct**.

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

### 3B LIST OF KEY PERSONNEL

The tenderer shall insert the Name, Qualification and Years of Experience of Key Personnel he proposes to employ on this tender/Contract:

| Role                        | Name | Qualification | Years of Experience |
|-----------------------------|------|---------------|---------------------|
| Project Leader              |      |               |                     |
| Transport Engineer          |      |               |                     |
| <del>Project Engineer</del> |      |               |                     |
| Structural /Bridge Engineer |      |               |                     |
| GIS Practitioner            |      |               |                     |

Refer to **Tender Data** Clause 3.6.1 for mandatory minimum requirements of Key Personnel.

**The CV's of all the above personnel must be attached in which they highlight their previous experience. Certified copies of Qualifications and Registrations as stipulated as minimum requirements for Key Personnel must be submitted, or else the tender will be considered incomplete. Proof of adherence to the minimum requirements as per Clause F.3.6.1 of the Tender Data must be clearly indicated and substantiated with proof. The Company Profile of the tenderer must also be submitted.**

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct.**

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer



### 3C SCHEDULE OF PROPOSED SUB-CONTRACTORS

---

We notify you that it is our intention to employ the following Subcontractors to work on this Contract.

If we are awarded the Contract, we agree that this notification does not change the requirement for us to submit the names of proposed Subcontractors in accordance with requirements in the Contract for such appointments. If there are no such requirements in the Contract, then your written acceptance of this list shall be binding between us.

| Name and Address of Proposed Sub-contractor | Name and Extent of Work | Previous Experience with Sub-contractor |
|---|-------------------------|---|
|   |                         |   |
|   |                         |   |
|   |                         |   |
|   |                         |   |
|   |                         |   |
|   |                         |   |

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct**.

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

**3D                    PROPOSED WORK PROGRAMME**

---

The Tenderer to submit a proposed Work Programme and attach to this page. **A work programme of 3 months must be shown.**

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct.**

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

---

## **PART C: THE CONTRACT**

---

- C1.1      FORM OF OFFER AND ACCEPTANCE
- C1.2      CONTRACT DATA

C1.1 FORM OF OFFER AND ACCEPTANCE

FORM OF OFFER AND ACCEPTANCE  
(Agreement)

Offer

The Client, identified in the Acceptance signature block, has solicited offers to enter a contract in respect of the following works:

**TENDER NO.:SK8/3/1-28/2021/22 - APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER FOR THE DEVELOPMENT OF ROAD ASSET MANAGEMENT FOR A PERIOD OF 3 (THREE) MONTHS FOR SEKHUKHUNE DISTRICT MUNICIPAL AREA**

The Professional Service Provider (“Tenderer”), identified in the Offer signature below, has examined the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all the obligations and liabilities of the Contractor under the Contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

**THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS  
(EXCLUSIVE OF CONTINGENCIES & CONTRACT PRICE ADJUSTMENT:**

.....

.....Rand (in Words);

R .....(in figures)

This Offer may be accepted by the Client by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

**For the Tenderer:**

Signature: .....

Name: .....

Capacity: .....

Name and address of Organization:  
.....  
.....  
.....

**Signature and Name of witness:**

Signature: .....

Name: .....

Date:.....

**Acceptance**

By signing this part of this Form of Offer and Acceptance, the Client (“Employer”) identified below accepts the Tenderer’s Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer’s Offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract, are contained in:

- Part C1: Agreements and Contract Data, (which includes this Agreement)
- Part C2: Pricing Data
- Part C3: Scope of Work.

and documents or parts thereof, which may be incorporated by reference into Parts C1 to C3 above.

Deviations from and amendments to the documents listed in the Tender Data and any addenda

thereto as listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule, which must be duly signed by the authorized representative(s) of both parties.

The Tenderer shall within two weeks after receiving a completed copy of this Agreement, including the Schedule of Deviations (if any), contact the Employer’s agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data at or just after, the date this Agreement comes into effect. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement. Notwithstanding anything contained herein, this Agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the Tenderer (now Contractor) within five working days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this Agreement, this Agreement shall constitute a binding contract between the parties.

**For the Employer:**

Signature: .....

Name: .....

Capacity:.....

Name and address of Organization:  
.....

**Signature and name of witness:**

Signature: .....

Name: .....

Date:.....

**Schedule of Deviations**

Notes:

- 1) The extent of deviations from the tender documents issued by the Employer prior to the tender closing is limited to those permitted in terms of the Conditions of Tender.
- 2) A Tenderer’s covering letter shall not be included in the final contract document. Should any matter in such, letter, which constitutes a deviation as aforesaid become the subject of agreement reached during the process of, offer and acceptance, the outcome of such agreement shall be recorded here.
- 3) Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here.
- 4) Any change or addition to the tender documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the Contract.

1) Subject:.....

Details:.....

2) Subject:.....

Details: .....

By the duly authorized representatives signing this Schedule of Deviations, the Employer and the Tenderer agree to and accept the foregoing Schedule of Deviations as the only deviations from and amendments to the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this Agreement.

**For the Tenderer:**

Signature .....

Name .....

Capacity .....

Name and address of organization:.....

Witness signature .....

Witness name .....

Date .....

**For the Employer:**

Signature .....

Name .....

Capacity .....

Name and address of organization: .....

.....

.....

Witness signature: .....

Witness name: .....

Date: .....



**Confirmation of Receipt**

The Tenderer (now Professional Service Provider/ Consultant), identified in the Offer part of this Agreement hereby confirms receipt from the Employer, identified in the Acceptance part of this Agreement, of one fully completed original copy of this Agreement, including the Schedule of Deviations (if any) today:

the ..... (day)  
of ..... (month)  
of ..... (year)  
at ..... (place)

**For the Tenderer:**

Signature:  
.....  
Name:  
.....  
Capacity:  
.....

**Signature and name of witness:**

Signature:  
.....  
Name:  
.....

## **C1.2 CONTRACT DATA**

---

### **Part 1: Conditions of the contract (Information Provided by Employer)**

#### **STANDARD PROFESSIONAL SERVICES CONTRACT**

*Bidders to note that the Standard Professional Services Contract, Third Edition of CIDB document 1014, July 2009 is applicable to this tender.*

*This Standard Professional Services Contract, where applicable, is to be used with the contract documentation format as prescribed by the Construction Industry Development Board in the Standard for Uniformity in Construction Procurement and in conjunction with SANS 1921 to set out the requirements and constraints relating to the manner in which the contract works is to be performed.*

Contact details of CIDB are as follows:

Physical Address: Construction Industry Development Board

Pretoria Contact Numbers:

Tel: 012 343 7136 or 012 481 9030

Fax: 012 343 7153

Mail and Internet: E-mail: [cidb@cidb.org.za](mailto:cidb@cidb.org.za) [www.cidb.org.za](http://www.cidb.org.za)

*The Standard Professional Services Contract make several references to the Contract Data for specific data, which together with the standard contract collectively describe the risks, liabilities and obligations of the contracting parties and the procedures for the administration of the Contract. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Professional Services Contract. The Standard Professional Services Contract shall be read in conjunction with the variations, amendments and additions set out in the Contract Specific Data below. Each item of data given below is cross-referenced to the clause in the Standard Professional Services Contract to which it mainly applies.*

**Contract Specified Data applicable to this Contract:**

| <b>Clause:</b> | <b>Details</b>  |
|----------------|---|
| 3.4 & 4.3.2    | <p>The Employer is the Sekhukhune District Municipality.</p> <p>The authorised and designated representative of the Employer is:</p> <p>Name: Mr K Ramadje</p> <p>The address for receipt of communications is:</p> <p>Telephone: 013 262 7300</p> <p>Cell No: 073 230 0069</p> <p>Faxsimile: 013 262 3688</p> <p>E-mail: ramajek@sekhukhune.gov.za</p> <p>Street Address: Corner Van Riebeeck and Chris Wiid Street, Groblersdal, 0470</p> <p>Postal Address: Private Bag X8611, Groblersdal, 0470.</p>  |
| 1              | The Project is for the Appointment of a Suitably Qualified Professional Service Provider (PSP) for the RRAMS programme in Sekhukhune District Municipality for a period of 3 (three) Months.  |
| 3.5            | The Site Location is indicated in Par C3.2 of the Scope of Works.   |
| 3.6            | <b>Material Relating to project:</b> The Service Provider may not release public or media statements or publish material related to the Services or Project under any circumstances.  |
| 1              | <b>The Start Date:</b> Shall be determined after tender award   |
| 3.12           | The penalty payable is R2,000.00 per Day Subject to a maximum amount of R50,000.00  |
| 3.15.1         | The programme shall be submitted within 14 Days of the award of Contract.   |
| 3.16           | Time based fees shall not be adjusted for Inflation.  |
| 4.3.1(d)       | The Service Provider may be required to assist in the obtaining of approvals, licences and permits from the state, regional or municipal authorities having jurisdiction over the Project   |
| 5.4.1          | <p>The Service Provider is required to provide professional indemnity cover.</p> <p>The Service Provider is required to provide the following insurances:</p> <ol style="list-style-type: none"> <li>1. Professional Indemnity<br/>Cover is: R10,000,000.00<br/>Period of Cover: Duration of the Contract</li> <li>2. Public Liability<br/>Cover is: Not less than R1,000,000.00 per single event.<br/>Period of Cover: Duration of the Contract</li> </ol>   |
| 5.5            | <p><b>Changes or Deviations:</b> The Service Provider is required to obtain the Employer's prior approval in writing before taking any of the following actions:</p> <ol style="list-style-type: none"> <li>1. Changes in travelling cost for which payment will be claimed, as defined in C2.1.4.4 Travelling and subsistence arrangements and tariffs of charges;</li> <li>2. Deviate from the final programme as in clause 3.14 above;</li> <li>3. Deviate from the programme (delayed or earlier);</li> <li>4. Deviate from or change the Scope of Services;</li> <li>5. Change the composition of the Service Provider in any way;</li> <li>6. Change Key Personnel on the Service.</li> </ol> |

| Clause:  | Details   |
|----------|---|
|          |   |
| 7.2      | <b>Key Personnel:</b> The Service Provider is required to provide personnel in accordance with the provisions of clause 7.2 of the tender data to complete the Personnel Schedule.  |
| 8.1      | <b>Commencement of Performance:</b> The Service Provider shall commence the performance of the Services immediately after the Contract becomes effective and execution to be as per the programme.  |
| 8.2.1    | The Contract is concluded when both parties have signed the contract.   |
| 8.4.3(c) | <b>Suspension of Work:</b> The period of suspension under clause 8.5 is not to exceed 8 weeks   |
| 11.1     | <b>Subcontracting:</b> A Service Provider shall seek approval from the employer for subcontracting any work which it doesn't have the skill and competency to perform prior   |
| 12.1     | <b>Disputes Resolution:</b> Settlements of disputes shall be by Mediation first<br>In the event that the Parties fail to agree on a mediator, the mediator is to be nominated by the president of the Association of Arbitrators (Southern Africa). |
| 12.2     | <b>Final settlement:</b> shall be by arbitration.   |
| 12.3.3   | <b>Adjudicator:</b> The adjudicator is the person appointed in terms of Adjudicators Agreement bound in the Construction Industry Development Board Adjudication Process<br><br>The number of Adjudication Board Member to be appointed is one      |
| 13.1.3   | All persons in a joint venture or consortium shall carry a minimum professional indemnity insurance of R5,000,000 for each party.   |
| 15       | The interest rate will be prime interest rate of the Employer's bank account.   |

**Part 2: Data provided by the Service Provider**

| Clause | Data  |
|--------|---|
| 1.     | <div>The name of the Service Provider is:</div> <div></div> <div></div> <div></div>   |
| 5.3    | <div>The address of the Service Provider is</div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div>                   |
| 5.3    | <div>Authorized &amp; designated representative of the Service Provider is</div> <div></div> <div></div>                                    |
|        | <div>The Service Providers Company Details are</div> <div>Address for receipt of communication is</div> <div></div> <div></div> <div></div> |
|        | <div>Telephone:</div> <div></div>   |
|        | <div>Email Address:</div> <div></div>   |

| Clause     | Data  |                 |
|------------|---|-----------------|
| 5.5 &7.1.2 | Names of Key Persons & their jobs functions in relation to this contract: |                 |
|            | NAME  | SPECIFIC DUTIES |
|            |   |                 |
|            |   |                 |
|            |   |                 |
|            |   |                 |
|            |   |                 |
|            |   |                 |
|            |   |                 |

## **C2.1 PRICING DATA – PRICING INSTRUCTIONS**

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### **C.2.1.1 PREAMBLE TO THE SCHEDULE OF QUANTITIES**

- C.2.1.1.1 The method of measurement shall be based on time and cost basis as per the schedule provided under C2.2 and quantities may not be exceeded without the consent of the Employer.
- C.2.1.1.2 Descriptions in the Schedule of Quantities may be abbreviated and comply generally with the Scope of Work, set out what ancillary or associated activities are included in the rates for the operations specified. Should any requirements of the measurement and payment clause or the Scope of Work, conflict with the terms of the Schedule, the requirements of the Scope of Work, as applicable, shall prevail.
- C.2.1.1.3 The reference clauses in a specification in which further information regarding the schedule item can be obtained appear under the "Reference Clause" or "Payment Refers" column in the Schedule. The reference clauses indicated are not necessarily the only sources of information in respect of scheduled items. Further information and set specifications may be found elsewhere in the contract documents or as may be applicable in terms of the applicable guideline documents for RRAMS.
- C.2.1.1.4 Stipends reserved for Graduates have been allowed for as PC Sum in the Schedule. The Contractor will allocate appropriate work for the Graduates as shall be agreed with the Employer and as guided by the Department of Transport in terms of the Scope of Work.
- C.2.1.1.5 Unless otherwise stated, tasks are measured nett in accordance with the Schedule, and no allowance is made for waste. The Schedule has to be completed in black non-erasable ink and the tenderer is referred to the Conditions of Tender as well as the Tender Data with regard to the correction of errors.
- C.2.1.1.6 The quantities set out in the Pricing Schedule are the estimated quantities of the work. The tenderers attention is directed to the scope of work and the Department of Transport Guidelines, including DORA, and the Contractor will be required to determine the actual and final quantities of the Works to be executed and the Contractor shall undertake whatever quantities may be directed by the Employers Agent from time to time. The Contract Price for the completed contract shall be computed from the actual quantities of work done, valued at the relevant unit rates and prices.
- C.2.1.1.7 The prices and rates to be inserted in the Pricing Schedule are to be the full inclusive prices for the work described under the several items. Such prices and rates shall cover all costs and expenses that may be required in and for the execution of the work described, and shall cover the cost of all general risks, liabilities, and obligations set forth or implied in the documents on which the tender is based, as well as overhead charges and profit. Reasonable prices shall be inserted as these will be used as a basis for assessment of payment for additional work that may have to be carried out.
- C.2.1.1.8 A price or rate is to be entered against each item in the Pricing Schedule, whether the quantities are stated or not. An item against which no price / rate is entered will be considered to be covered by the other prices or rates in the Schedule.
- C.2.1.1.9 Except where rates only are required, the tenderer shall insert all amounts to be included in his total tendered price in the "Amount" column and show the corresponding total tendered price.
- C.2.1.1.10 All prices or rates inserted in the Pricing Schedule shall be EXCLUDING VAT. Provision has been made on the Summary Page of the Pricing Schedule, for the addition of VAT.
- C.2.1.1.11 Arithmetical errors of responsive tenders shall be corrected in the manner specified under the Conditions of Tender as well as the Tender Data. (Refer also CIDB Practice Note No. 2 dated February 2008)
- C.2.1.1.12 The units of measurement described in the Pricing Schedule are metric units. Abbreviations used in the Bill of Quantities are as follows:

h = hour  
No = Number  
Sum = Lump Sum  
PC Sum = Prime Cost Sum

- C2.1.1.13 The quantities set out in the Schedule are the estimated quantities of the Works but the Contractor will be required to undertake whatever quantities as may be directed by the Employers Agent from time to time. The Contract Price for the completed Contract shall be computed from the actual quantities of work done, valued at the relevant unit rates and prices.
- C2.1.1.14 An Item against which no price / rate is entered or where a word or phrase such as "included" or "provided elsewhere" will be accepted as a rate of nil (R 0,00) having been entered against such items and covered by the other prices or rates in the Schedule. Any work executed to which such a payment item applies, shall be measured under the appropriate items in the Priced Schedule and valued at a rate of nil (R 0,00). The rate of nil shall be valid irrespective of any change in the quantities during the execution of the Contract.

**NOTE: CORRECTION OF ENTRIES MADE BY TENDERER**

Any entry made by the tenderer in the Pricing Schedule, forms, etc., which the tenderer desires to change, shall not be erased or painted out. A line shall be drawn through the incorrect entry and the correct entry shall be written above in black ink and the full signature of the Tenderer shall be placed next to the correction.



## C2.2 PRICING DATA – PRICING SCHEDULE AND SUMMARY

| PRICING SCHEDULE FOR 3 MONTHS |   |       |          |           |            |
|-------------------------------|---|-------|----------|-----------|------------|
| Item No.                      | Description   | Unit  | Quantity | Rate (R)  | Amount (R) |
| 1                             | <b>ADMINISTRATION AND PROJECT MANAGEMENT OF THE PROGRAMME</b>   |       |          |           |            |
| 1.1                           | Compilation and timely submission of Monthly and Progress Reports in the format prescribed by the District Municipality and DOT | hour  | 440      |           |            |
| 1.2                           | Compilation of Business Plans and Grant Evaluation Reports  | hour  | 45       |           |            |
| 1.3                           | Training and Capacity Building of Graduates   | hour  | 120      |           |            |
| 1.4                           | Work Plans for Graduates  | hour  | 45       |           |            |
| 1.5                           | Review, and Aggregation of existing Data for Submission to NDoT   | hour  | 200      |           |            |
| 1.6                           | Graduates Stipend   | Month | 3        | 60 000-00 | 180 000-00 |
|                               | <b>TOTAL CARRIED FORWARD TO SUMMARY</b>   |       |          |           |            |
| 2                             | <b>SITE WORK, MEETINGS AND WORKSHOPS</b>  |       |          |           |            |
| 2.1                           | Site Work   | hour  | -        | -         | -          |
| 2.2                           | Attending meetings and workshops (All 3 spheres of government)  | sum   | 1        |           |            |
|                               | <b>TOTAL CARRIED FORWARD TO SUMMARY</b>   |       |          |           |            |
| 3                             | <b>ENGINEERING SERVICES</b>   |       |          |           |            |
| 3.1                           | Transport Engineer/Technologist   | Month | 3        |           |            |
| 3.2                           | Project Engineer/Technologist   | Month | 3        |           |            |
| 3.3                           | Bridge Engineer/Technologist  | Month | 3        |           |            |
| 3.4                           | Pavement Engineer/Technologist  | Month | 3        |           |            |
|                               | <b>TOTAL CARRIED FORWARD TO SUMMARY</b>   |       |          |           |            |
| 4                             | <b>RRAMS SOFTWARE APPLICATION</b>   |       |          |           |            |
| 4.1                           | Develop RRAMS System and Perpetual Licensing  | sum   | 1        |           |            |
| 4.2                           | System Maintenance and Upgrades   | sum   | 1        |           |            |
|                               | <b>TOTAL CARRIED FORWARD TO SUMMARY</b>   |       |          |           |            |

| PRICING SUMMARY FOR 3 MONTHS                       |  |            |
|--|--|------------|
| Item No.   | Item Description                                       | Amount (R) |
| 1  | Administration and Project Management of the Programme |            |
| 2  | Site Work Meetings and Workshops                       |            |
| 3  | Engineering Services                                   |            |
| 4  | RRAMS Software Application                             |            |
| <b>SUBTOTAL - 1</b>                                |  |            |
|  | 15% Disbursements                                      |            |
| <b>SUBTOTAL – 2</b>                                |  |            |
|  | <b>VAT @ 15%</b>                                       |            |
| <b>TENDER SUM CARRIED FORWARD TO FORM OF OFFER</b> |  |            |

I the undersigned, warrant that I am duly authorized to do so on behalf of the enterprise and confirm that the contents of this schedule are, to my personal knowledge and best belief, **both true and correct**.

.....  
Signature

.....  
Date

.....  
Name

.....  
Position

.....  
Name of Tenderer

#### DISCLAIMER

Kindly note that the responsibility lies with Tenderer to check the tender document and the tender addenda (if issued) to verify that all the information is correct and all changes have been incorporated as no claims will be entertained in this regard afterwards. Accordingly, we confirm that the hard copies of the original tender document and the tender addenda are to be regarded to contain the correct items and quantities.

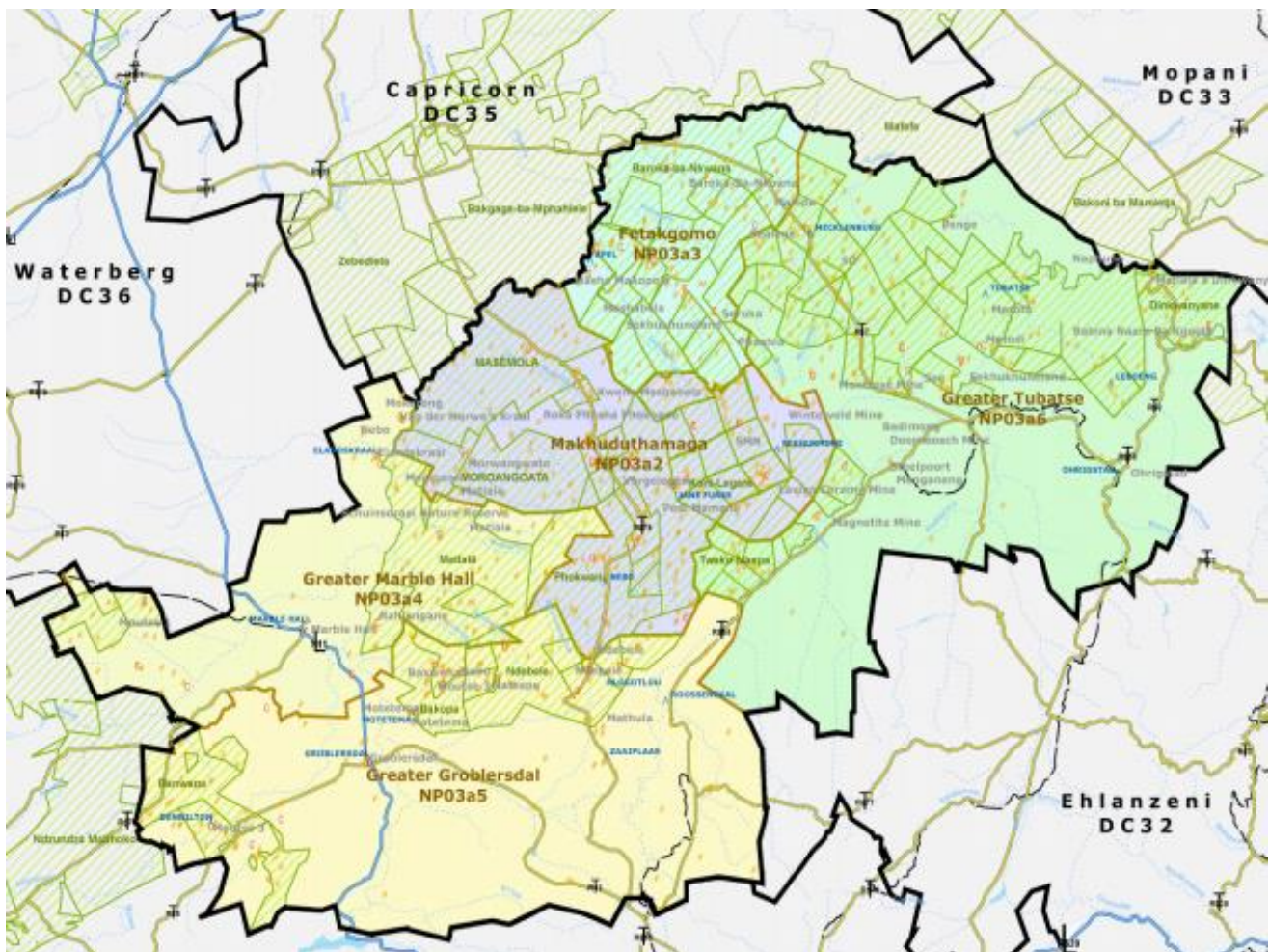
## C3 SCOPE OF WORK

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### C3.1 Employer's Objective

- To assist Sekhukhune District Municipality (SDM) to set up rural RAMS, and collect road, bridges and traffic data on municipal road networks in line with the Road Infrastructure Strategic Framework for South Africa (RISFSA) well as the National Guidelines for Road Access Management in South Africa (COTO, 2012).
- Improved data on municipal roads to guide infrastructure maintenance and investments
- Reduced vehicle operating costs
- Prioritised project list for roads to inform MIG road maintenance projects

### C3.2 Site Location



### C3.3 Project Scope and Objectives

The Employer requires the assistance of an experienced professional service provider to undertake the implementation / upgrade of its Road Asset Management System (RRAMS) and manage the system operational procedures and processes, in terms of DORA requirements, for a three (3) months period.

- Information and decision support system are indispensable for the effective management of the road network at both the operation and strategy level, in order to ensure good governance outcomes and optimal service delivery. In South Africa and throughout the world the road asset has suffered from decades of under-investment due to: -
  - Lack of investment in planned or periodic maintenance.
  - The lack of whole cycle management strategy.
  - Lack of effective and efficient routine and periodic maintenance.
  - Level of service has been budget driven rather than performance based

As a result, many roads from strategic routes through to unclassified local roads are in a critical condition requiring capital investment to raise them to the desired level of service and thereafter to maintain them.

#### **Problem Statement**

Roads network development in South Africa is constitutionally a concurrent function across the three spheres of government, and thus to be effective relies on the coordination of processes and information sharing. Practically this has not been very successful, as evidenced by the commissioning of study to develop the Road Infrastructure Strategic Framework for South Africa (RISFSA). Chapter 4 of RISFSA has found that road asset management systems that are implemented by roads authorities are not of the same standard and the information that is drawn from them is not consistent. In addition, the various systems are not integrated internally or across the sphere of government. This makes it very difficult to adequately plan for interventions. Poor planning in turn leads to unsustainable expenditure of roads budgets which cannot be afforded in the current-economic context of South Africa.

#### **The services required for the service provider shall comprise the following:**

- Data collection on roads infrastructure in terms of lengths, types and condition;
- Development of RAMS Software System maintenance and update- (The RAMS will be an operation level II compliant system as defined in COTO TMH 22 document and consist of an integrated set of information and decision sub-systems. The system data is to be contained in a SQL Server database with shapefiles that link each road segment via unique segment ID's. A web-based system is required to view and query the data.
- Traffic data collection: Capacity building of Sekhukhune District Municipality staff and engineering technicians employed, which must include accredited training and mentorship towards professional registration for the engineering technicians.
- Monthly progress reports on the development of the graduates and other programme KPIs;
- Monthly reports to the funding department in the required format;
- Arranging monthly meetings with stakeholders within the SEKHUKHUNE district.
- Compilation of annual reports and any other reports required by NDoT in terms of the DoRA framework; and
- Compliance to any other matters related to the DoRA framework in relation to the RRAMS allocation.

- Data analysis and road maintenance plans through the RRAMS system
- MIG priority list for local municipalities under Sekhukhune District Municipality

### **Extent of the Road Network**

Table below shows that the total road network for the district is approximately 6 955.4km.

***Table – Summary of paved and unpaved Road network length (RCAM Classes)***

| <b>Local Municipality</b> | <b>Municipal &amp; Access Road length (km)</b> |                |               |
|---------------------------|--|----------------|---------------|
|                           | <b>Paved</b>                                   | <b>Unpaved</b> | <b>Total</b>  |
| Elias Motsoaledi          | 11,7   | 1836,6         | 1848,3        |
| Ephraim Mogale            | 57,8   | 811,2          | 869,0         |
| LIM 476                   | 59,7   | 1857,1         | 1916,8        |
| Makhuduthamaga            | 19,0   | 2302,3         | 2321,3        |
| <b>Total</b>              | <b>148,2</b>                                   | <b>6807,2</b>  | <b>6955,4</b> |
| <b>Percentage</b>         | 2,1%   | 97,9%          | 100,0%        |

### **Project Outputs/Deliverables**

The project outputs will include

- Extent and Condition of Road Network in SDM
- Road Asset Data including location reference, geospatial and standard
- Illustration of the best practice for road authorities to adopt
- Summary of how data is best used to develop an infrastructure management strategy.
- Produce benchmark of costs for typical system, relative to investment in asset.
- Traffic counts/ Traffic volumes report
- Road Maintenance Reports
- Web based Rural Road Asset Management Software Application
- Annual Business Plans
- Annual Grant Evaluation Reports
- Monthly and Quarterly Reports

## **C3.4 Consultants Fees**

C3.4.1 Fee Structure (As per Pricing Schedule in the tender document)

C3.4.2 Other Fees

Expenses and cost are as defined in the abovementioned pricing schedule, with the following exceptions:

- Travelling cost will be calculated with Sekhukhune District as the base.
- It will be assumed that all tenderers have local offices in Sekhukhune District.

- Payments will not be made for the following:
  - Subsistence allowances
  - Travelling cost and travelling time when travelling to and from outside of Sekhukhune District

Rates for the following reimbursable expenses shall be as per the Department of Public Works latest rates for reimbursable expenses for consultants (Refer Item 3.3: Miscellaneous Disbursements in the Pricing Schedule):

END